

1 DAYLE ELIESON
United States Attorney
2 RICHARD ANTHONY LOPEZ
Assistant United States Attorney
3 501 Las Vegas Boulevard South, Suite 1100
Las Vegas, Nevada 89101
4 Tel: 702.388.6551 / Fax: 702.388.6418
tony.lopez@usdoj.gov

5 *Representing the United States of America*

6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 UNITED STATES OF AMERICA,

9 Plaintiff,

10 vs.

11 ROSALIO ALCANTAR,

12 Defendant.

Case No. 2:12-cr-00113-JCM-VCF

STIPULATION AND PROPOSED
ORDER TO CONTINUE
REVOCATION HEARING
(Fifth Request)

13
14 It is hereby stipulated and agreed, by and between Dayle Elieson, United
15 States Attorney, through Richard Anthony Lopez, Assistant United States Attorney,
16 and Craig W. Drummond, Esq., counsel for defendant Rosalio Alcantar, that the
17 hearing regarding revocation of supervised release scheduled for October 29, 2018,
18 at 10:00 a.m. be VACATED and set for a date and time convenient for the Court but
19 no sooner than 30 days from the currently scheduled date.

20 This stipulation is entered into for the following reasons:

21 1. The Petition for Revocation of Supervised Release alleges that the
22 Defendant committed new offenses while under supervision.
23

1 2. The parties have reached an agreement in principle that resolves both
2 the revocation proceedings and the new substantive offenses in a single agreement.

3 3. The parties need additional time to reduce the agreement to writing
4 and obtain the necessary approvals and signatures.

5 4. In addition, counsel for the Government has a conflict with the current
6 scheduled hearing date because trial in United States v. Fujinaga, No. 2:15-cr-00198-
7 GMN-NJK, is scheduled to begin at 8:30 a.m. on October 29, 2018. The Fujinaga trial
8 is expected to last two to four weeks.

9 5. The Defendant is not in custody and does not object to the continuance.

10 6. The parties agree to the continuance.

11 7. This is the fifth request for a continuance of the revocation hearing.

12 DATED this 24th day of October, 2018.

13 Respectfully submitted,

14 DAYLE ELIESON
15 United States Attorney

16 /s/ Craig W. Drummond
17 CRAIG W. DRUMMOND, ESQ.
18 Counsel for Defendant
19 Rosalio Alcantar

20 /s/ Richard Anthony Lopez
21 RICHARD ANTHONY LOPEZ
22 Assistant United States Attorney
23

1 **UNITED STATES DISTRICT COURT**
2 **DISTRICT OF NEVADA**

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 vs.

6 ROSALIO ALCANTAR,

7 Defendant.

Case No. 2:12-cr-00113-JCM-VCF

8 **FINDINGS OF FACT**

9 Based on the parties' stipulation to continue the hearing regarding revocation
10 of supervised release, and good cause appearing therefore, the Court finds that:

11 1. The Petition for Revocation of Supervised Release alleges that the
12 Defendant committed new offenses while under supervision.

13 2. The parties have reached an agreement in principle that resolves both
14 the revocation proceedings and the new substantive offenses in a single agreement.

15 3. The parties need additional time to reduce the agreement to writing
16 and obtain the necessary approvals and signatures.

17 4. In addition, counsel for the Government has a conflict with the current
18 scheduled hearing date because trial in United States v. Fujinaga, No. 2:15-cr-00198-
19 GMN-NJK, is scheduled to begin at 8:30 a.m. on October 29, 2018. The Fujinaga trial
20 is expected to last two to four weeks.

21 5. The Defendant is not in custody and does not object to the continuance.

22 6. The parties agree to the continuance.

23 7. This is the fifth request for a continuance of the revocation hearing.

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23

ORDER

IT IS HEREBY ORDERED that the hearing regarding revocation of supervised release presently scheduled for October 29, 2018, at the hour of 10:00 a.m. be continued to **December 3, 2018** at the hour of **10:30 a.m.** in Las Vegas Courtroom 6A before Judge James C. Mahan.

DATED: October 25, 2018

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23

DATED this 24th of October, 2018.

5